

JB:EAG
F.#2006R02288

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

RAFAEL PANTOJA,
also known as "Ralph Pantoja,"

Defendant.

Cr. No. _____
(T. 18, U.S.C., §§
982(a)(2)(A), 982(b)(1),
1344, 1349, 2 and 3551
et seq.)

- - - - -X

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Indictment, unless
otherwise indicated:

1. ABN Amro Mortgage Group, Corp. ("ABN Amro") was a wholly-owned subsidiary of ABN Amro Bank, N.V., a federally chartered bank, the deposits of which were insured by the Federal Deposit Insurance Corporation.
2. The defendant RAFAEL PANTOJA, also known as "Ralph Pantoja," together with others, purchased or fraudulently obtained title to real properties (the "Properties").
3. One unindicted coconspirator, together with others, recruited individuals with good credit (the "Straw Borrowers") to apply for mortgages on the Properties.
4. The unindicted coconspirator, together with others, submitted mortgage loan applications in the names of the

Straw Borrowers to ABN Amro and other financial institutions for approval. Submitted with the loan applications were fraudulent appraisals (the "Appraisals"), which supported inflated real estate values of properties proposed to serve as collateral for the mortgage loans.

COUNT ONE
(Bank Fraud Conspiracy)

5. The allegations contained in paragraphs 1 through 4 are repeated and incorporated as though fully set forth in this paragraph.

6. In or about and between January 2000 and December 2003, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RAFAEL PANTOJA, also known as "Ralph Pantoja," together with others, did knowingly and intentionally conspire to execute a scheme and artifice to defraud a financial institution, to wit: ABN Amro, and to obtain money and funds owned by and under the custody and control of ABN Amro by means of materially false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1344.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT TWO
(Bank Fraud)

7. The allegations contained in paragraphs 1 through 4 are repeated and incorporated as though fully set forth in this paragraph.

8. In or about and between January 2000 and December 2003, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RAFAEL PANTOJA, also known as "Ralph Pantoja," together with others, did knowingly and intentionally execute a scheme and artifice to defraud a financial institution, to wit: ABN Amro, and to obtain money owned by and under the custody and control of ABN Amro, by means of materially false and fraudulent pretenses, representations and promises.

(Title 18, United States Code, Sections 1344, 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

9. The United States hereby gives notice to the defendant charged in Counts One and Two that, upon his conviction of any such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2)(A), which requires any person convicted of any such offense to forfeit any property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as the result of such offense.

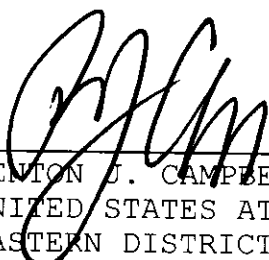
10. If any of the above-described forfeitable property, as a result of any act or omission of any defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any

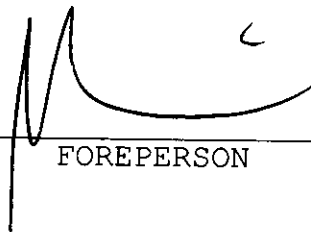
other property of the defendant up to the value of the
forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 982(a)(2)(A) and
982(b)(1))



BENTON J. CAMPBELL
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

A TRUE BILL



FOREPERSON

No.

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

RAFAEL PANTOJA, also known as "Ralph Pantoja,"
Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 982(a)(2)(A), 982(b)(1), 1344, 1349, 2 and 3551 et seq.)

A true bill.

Foreman

Filed in open court this

1st day,
April A.D. 20 *08*

Clerk

Bail, \$

Elizabeth Geddes, Assistant U.S. Attorney (718-254-6430)

INFORMATION SHEET

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK


1. Title of Case: **United States v. Rafael Pantoja**
2. Related Magistrate Docket Number(s):

None (X)
3. Arrest Date:
4. Nature of offense(s): ☒ Felony
☐ Misdemeanor
5. Related Cases - Title and Docket No(s). (Pursuant to Rule 50.3 of the Local E.D.N.Y. Division of Business Rules):

6. Projected Length of Trial: Less than 6 weeks (X)
More than 6 weeks ()
7. County in which crime was allegedly committed: Brooklyn
(Pursuant to Rule 50.1(d) of the Local E.D.N.Y. Division of Business Rules)
8. Has this indictment/information been ordered sealed? (X) Yes () No
9. Have arrest warrants been ordered? (X) Yes () No

BENTON J. CAMPBELL
UNITED STATES ATTORNEY

By:



Elizabeth Geddes
Assistant U.S. Attorney
718-254-6430